

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re IBM 30(b)(6) Subpoena in the matter of:

INTERNATIONAL BUSINESS MACHINES
CORPORATION,

Plaintiff and Counterclaim
Defendant,

v.

PLATFORM SOLUTIONS, INC.,

Defendant and Counterclaimant.

CASE NO. NO. C07-80174 RMW (PVT)
The Hon. Patricia V. Trumbull

Underlying action pending in the United States
District Court for the Southern District of New
York, CASE NO. CV 06-13565 SCR

**[PROPOSED] ORDER GRANTING
ADMINISTRATIVE MOTION PURSUANT
TO CIVIL L.R. 7-11 AND 79-5(c) TO FILE
UNDER SEAL UNREDACTED PAGES OF
NONPARTY HEWLETT-PACKARD
COMPANY'S MOTION TO MODIFY
SUBPOENA AND FOR A PROTECTIVE
ORDER; [PROPOSED] ORDER GRANTING
MOTION; AND DECLARATIONS IN
SUPPORT THEREOF.**

The Administrative Motion of Nonparty Hewlett-Packard Company ("HP")
("Motion") pursuant to Civ. L.R. 79-5, and the related declaration of HP pursuant to Civ. L.R.
79-5(c) (the "Declaration"), came before this Court for determination in connection with HP's
Motion to Modify Subpoena and for a Protective Order. After consideration of the Motion,

1 the Declaration, the Court's files and records in this matter, the Court finds that the
2 information set forth below reflects confidential proprietary HP information, which if
3 disclosed to competitors and/or the public, could cause serious injury to HP because:
4 (a) competitors could use this otherwise confidential and valuable information to ascertain
5 (1) where HP contemplates potential growth in certain markets; and/or (2) HP's business
6 strategies in relation to these areas of technology and business, and/or (2) the disclosure of
7 this information could interrupt ordinary market forces that affect HP's stock price.

8 Accordingly, IT IS HEREBY ORDERED that the Motion is GRANTED, as follows:

9 **Motion**

10 Page 4, lines 6-8 of the Motion, page 9, line 11 of the Motion, page 10, line 2 of the Motion,
11 and page 2, lines 19-20 of the [Proposed] Order thereto, are to remain redacted for the reasons set
12 forth in the Declaration of Alexander S. Klein III previously filed on April 29, 2008 in Support of the
13 Administrative Motion to Seal ("Klein Declaration").

14 **Stephen Howard Declaration**

15 Page 2, lines 4, and 24-26 of the Declaration of Stephen Howard are to remain redacted for
16 the reasons set forth in the Klein Declaration.

17 **Exhibits to the Declaration of Angelique Kaounis**

18 Exhibits A, D, H, L, M, N, O, and Q to the Declaration of Angelique Kaounis are to remain
19 redacted as lodged with the Court for the reasons set forth in the Klein Declaration.

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21 Dated: _____, 2008
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24 HONORABLE PATRICIA V. TRUMBULL
25 UNITED STATES DISTRICT JUDGE
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